

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

**UNDER SEAL,**

Plaintiffs,

v.

**UNDER SEAL,**

Defendant.

---

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

Case No. 10-1520

**FILED UNDER SEAL**

**UNITED STATES' NOTICE OF INTERVENTION  
FOR PURPOSES OF SETTLEMENT**

Viveca D. Parker, AUSA  
United States Attorney's Office  
615 Chestnut Street #1250  
Philadelphia, PA 19106  
(215) 861-8443  
[Viveca.parker@usdoj.gov](mailto:Viveca.parker@usdoj.gov)

1. Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the United States notifies the Court of its intervention for settlement purposes against defendant Independence Blue Cross (“defendant”) as to allegations that defendant violated the False Claims Act, 31 U.S.C. § 3729 *et seq.*

2. The United States and defendant executed a Settlement Agreement that provides for a release of certain defined covered conduct, a payment by defendant to the United States, and the dismissal of this action pursuant to the terms and conditions of the Settlement Agreement.

3. The Settlement Agreement provides that the parties shall promptly sign and execute a joint stipulation of dismissal, pursuant to Federal Rule of Civil Procedure 41(a)(1), when the United States receives the required payment from the defendant as provided for by the terms of the Settlement Agreement.

4. The United States requests that the following documents be immediately

unsealed:

- a. This Notice of Election to Intervene; and
- b. The relator's Complaint and amended complaint.

The United States requests that all other papers or Orders on file in this matter remain under seal.

Respectfully submitted,

WILLIAM M. McSWAIN  
United States Attorney

*/s/ Charlene Keller Fullmer for*

---

GREGORY B. DAVID  
Assistant United States Attorney  
Chief, Civil Division

*s/ Viveca D. Parker*  
VIVECA D. PARKER  
Assistant United States Attorneys  
615 Chestnut Street, Suite 1250  
Philadelphia, PA 19106  
Telephone: 215-861-8522/8443

*Attorneys for the United States of America*

Dated: September 3, 2020

**CERTIFICATE OF SERVICE**

I certify that on this date a copy of the foregoing Notice of Intervention for Purposes of Settlement was sent by email and United States mail, postage prepaid, to the following:

Donald R. Warren, Esquire  
7825 Fay Ave., Suite 200  
La Jolla, CA 92037  
*Relator's Counsel*

/s/ Viveca D. Parker  
VIVECA D. PARKER

Dated: September 3, 2020